

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Brian Hamilton

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Novartis Pharmaceuticals Corporation and  
Merck & Co., Inc.

07 CV 7278

TO: (Name and address of defendant)

Novartis Pharmaceuticals Corporation  
One Health Plaza  
East Hanover, New Jersey 07936-1080

Merck & Company  
One Merck Drive  
Whitehouse Station, NJ 08889

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beatie and Osborn LLP  
521 Fifth Avenue, 34th Floor  
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

AUG 15 2007

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

**RETURN OF SERVICE**

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT**  
 EFFECTED (1) BY ME: **PASCAL KUVALAKIS**  
 TITLE: **PROCESS SERVER**

DATE: 09/24/2007 02:30PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

NOVARTIS PHARMACEUTICALS CORP.,

Place where served:

ONE HEALTH PLAZA EAST HANOVER TWP. NJ 07936

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

KIMBERLY MACKAY ESQ.

Relationship to defendant: ATTORNEY

Description of person accepting service:

SEX: F AGE: 36-50 HEIGHT: 5'0"-5'3" WEIGHT: 100-130 LBS. SKIN: BROWN HAIR: BLACK OTHER: \_\_\_\_\_

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

**STATEMENT OF SERVER**

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9/24/2007

[Signature] L.S.  
 SIGNATURE OF PASCAL KUVALAKIS  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

[Signature]  
[Signature]

ZULEYDA CONCEPCION  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires Oct. 2, 2011

ATTORNEY: DANIEL A. OSBORN, ESQ.  
 PLAINTIFF: BRIAN HAMILTON  
 DEFENDANT: NOVARTIS PHARMACEUTICALS CORP., ET AL  
 VENUE: DISTRICT OF NY  
 DOCKET: 07 CV 7278

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT**  
EFFECTED (1) BY ME: **JOSE ALARCON**  
TITLE: **PROCESS SERVER**

DATE: 09/21/2007 02:15PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

MERCK &amp; CO.

Place where served:

ONE MERCK DR. WHITE HOUSE STATION NJ 08889

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

JOAN E. DEARBORN

Relationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLACK OTHER: \_\_\_\_\_

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

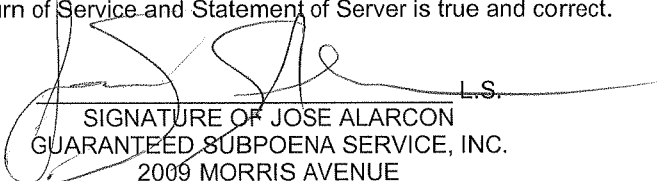
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9/21/07

  
SIGNATURE OF JOSE ALARCON  
GUARANTEED SUBPOENA SERVICE, INC.  
2009 MORRIS AVENUE  
UNION, NJ 07083

L.S.

  
ZULEYDA CONCEPCION  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Oct. 2, 2011

ATTORNEY: DANIEL A. OSBORN, ESQ.  
PLAINTIFF: BRIAN HAMILTON  
DEFENDANT: NOVARTIS PHARMACEUTICALS CORP., ET AL  
VENUE: DISTRICT OF NY  
DOCKET: 07 CV 7278

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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